

Introduced by Senator Hayden

December 18, 1996

An act to add Section 130051.20 to the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 89, as introduced, Hayden. Transportation: Los Angeles County Metropolitan Transportation Authority: members: employees.

Existing law requires the Los Angeles County Metropolitan Transportation Authority to adopt an ordinance, as specified, regulating the making of gifts to members and designated employees of the authority.

This bill would impose limitations on the making of gifts or contributions of over \$10 in value or amount to members, alternate members, and employees of the authority, and their immediate families, by any construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity seeking a contract with the authority, and on the acceptance of those gifts by a member, alternate member, employee, or any member of their families. The bill would also impose limitations on making or participating in contracts by a member, alternate member, or employee who had accepted a gift or contribution of over \$10 in value or amount from a participant in the contract.

The bill would prohibit a specified former member, alternate member, or employee of the authority, for a period of 3 years after leaving the authority, from accepting employment with any company, vendor, or business entity



that was awarded a contract as a result of the individual's participation, evaluation, award, or implementation of that contract.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) The Los Angeles County Metropolitan
4 Transportation Authority has an annual budget of two
5 billion nine hundred million dollars (\$2,900,000,000).

6 (b) The authority is funded by tax and bond revenues.

7 (c) There were 990 lobbyists registered with the
8 authority as of December 8, 1994, nearly as many lobbyists
9 as there are who work with the Legislature at the State
10 Capitol.

11 (d) Evidence exists that the policy making and
12 contract-award processes are heavily influenced by
13 lobbyists bearing gifts and contributions.

14 (e) Public confidence in the authority has
15 deteriorated because of critical investigative media
16 reports on its performance, the temporary suspension of
17 federal construction funding, an ongoing criminal federal
18 investigation, and pending lawsuits filed by authority
19 'whistle blowers' and bus riders.

20 (f) It is crucial to the future of the transportation
21 system in Los Angeles County that there be public
22 confidence in the authority, that public funds are spent
23 legally, properly, without special-interest influence, and
24 in the most cost-effective way that serves the greatest
25 number of transit-dependent citizens.

26 The Legislature finds it proper and necessary
27 therefore, to revise and strengthen existing laws that
28 govern gifts and contributions given to, and received by,
29 authority directors and employees.

30 SEC. 2. Section 130051.20 is added to the Public
31 Utilities Code, to read:



1 130051.20. (a) (1) No construction company,
2 engineering firm, consultant, legal firm, or any company,
3 vendor, or business entity seeking a contract with the Los
4 Angeles County Transportation Authority shall give to a
5 member, alternate member, or employee of the
6 authority, or to any member of their immediate families,
7 a gift or contribution of over ten dollars (\$10) in value or
8 amount. A 'contribution' includes contributions to
9 candidates or their committees in any federal, state, or
10 local election.

11 (2) Neither the owner, an employee, or any member
12 of their immediate families, of any construction company,
13 engineering firm, consultant, legal firm, or any company,
14 vendor, or business entity seeking a contract with the
15 authority shall make a gift or contribution of over ten
16 dollars (\$10) in value or amount to a member, alternate
17 member, or employee of the authority, or to any member
18 of their immediate families.

19 (3) No member, alternate member, or employee of
20 the authority, or member of their immediate families,
21 shall accept a gift or contribution of over ten dollars (\$10)
22 in value or amount from any construction company,
23 engineering firm, consultant, legal firm, or any company,
24 vendor, or business entity seeking a contract with the
25 authority.

26 (4) No member, alternate member, or employee of
27 the authority shall make or participate in, or use his or her
28 official position to influence, a contract decision if the
29 member, alternate member, or employee has knowingly
30 accepted a gift or contribution of over ten dollars (\$10)
31 in value in the past four years from a participant, or its
32 agent, involved in the contract decision.

33 (5) No member, alternate member, or employee of
34 the authority, or member of their immediate families
35 shall accept a gift or contribution of over ten dollars (\$10)
36 in value or amount from a construction company,
37 engineering firm, consultant, legal firm, or any company,
38 vendor, or business entity that has contracted with the
39 authority in the preceding four years.

1 (b) A member, alternate member, or employee of the
2 authority who has participated as a decision maker in the
3 preparation, evaluation, award, or implementation of a
4 contract and who leaves the authority shall not, within
5 three years of leaving the authority, accept employment
6 with any company, vendor, or business entity that was
7 awarded a contract as a result of his or her participation,
8 evaluation, award, or implementation of that contract.

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